

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

CHRISTOPHER KOHLS and MARY
FRANSON,

Plaintiffs,

v.

Civil Action No. 0:24-cv-3754-ECT-DLM

KEITH ELLISON, in his official capacity
as Attorney General of Minnesota, and
CHAD LARSON, in his official capacity
as County Attorney of Douglas County,
Defendants.

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION —
EXPEDITED CONSIDERATION REQUESTED**

TO: Defendants above-named, through counsel, via ECF, and emailed as a courtesy for counsel to Defendant Larson, who has not yet appeared.

Plaintiffs move the Court pursuant to Fed. R. Civ. P. 65, D. Minn. L.R. 7.1, and the Court's inherent authority for the following relief:

1. A preliminary injunction which prohibits the enforcement of Minn. Stat. § 609.771 until this lawsuit is decided on its merits;
2. That no bond be required for the injunction pursuant to the Court's inherent authority to waive any bond requirement.

Additionally, given the immediate and irreparable harm Plaintiffs and all speakers face to their First Amendment rights in view of the upcoming election, Plaintiffs respectfully request expedited consideration of this motion. Plaintiff Rep. Franson, in particular, is concerned about her ability to communicate on social media in the leadup to the election given that Minn. Stat. § 609.771 purports to disqualify candidates convicted under it. Subd. 3(3)(b)-(c).

Specifically, Plaintiffs request that this Court hold a hearing on the motion and issue an Order by October 29, 2024. Expedited consideration is within the Court's authority, as "[d]istrict courts ordinarily enjoy broad discretion in matters of pretrial management, scheduling, and docket control." *Kimble v. Hosoi*, 439 F.3d 331, 336 (6th Cir. 2006). As detailed in the contemporaneously-filed LR 7.1 Meet-and-Confer Statement, Defendants oppose expedited treatment of the motion because "Minn. Stat. § 609.771 has been in effect since 2023, and the PI motion should proceed on a normal briefing schedule."

This motion is based on Plaintiffs' submissions to the Court, including Plaintiffs' verified complaint and the memorandum of law supporting this motion, the forthcoming reply memorandum of law, arguments of counsel, and the other documents on record with the Court.

Dated: October 11, 2024

Respectfully submitted,

/s/ M. Frank Bednarz

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